

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No.: 05-167 (MJD/AJB)

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER

(1) MARCOS JESUS FARIUS-EVANGELISTA,

Defendant.

Defendant Farius-Evangelista has filed a waiver of speedy trial in this case. The government have filed no objections. Therefore, the Court will grant the waiver of speedy trial.

Based on all the files, records and proceedings herein, **IT IS HEREBY ORDERED**, that:

1. Defendant Farius-Evangelista's waiver of speedy trial [docket # 26] is **GRANTED**.

4. The time between August 6, 2005, and October 17, 2005, shall be excluded in computing the time within which the trial in this matter must commence under the Speedy Trial Act pursuant to Title 18, United States Code, Section 3161(h)(8)(A). The ends of justice will be served by continuing the trial date. This finding is based upon the Court's conclusion that the failure to grant such a continuance would unreasonably deny the parties a right to a fair and just hearing.

Dated: October 12, 2005

s/ Michael J. Davis
MICHAEL J. DAVIS
United States District Court Judge